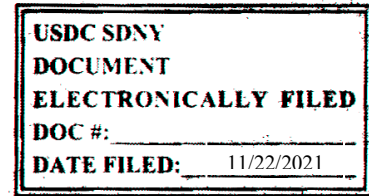


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

03-MD-1570 (GBD)(SN)

ORDER

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SARAH NETBURN, United States Magistrate Judge:


Kreindler & Kreindler’s motion for reconsideration of the Court’s ruling on the admission of KSAX-101 at ECF No. 7375 is DENIED. Motions for reconsideration are disfavored and the threshold for granting them is high. See Iowa Pub. Emp. Ret. Sys. v. Deloitte & Touche LLP, 973 F. Supp. 2d 459, 462 (S.D.N.Y. 2013). Additionally, parties “may not use a motion for reconsideration to raise new arguments for the first time when they were free to raise them during the original briefing.” Luv n’ Care, Ltd. v. Regent Baby Prod. Corp., 986 F. Supp. 2d 400, 412 (S.D.N.Y. 2013).

Kreindler & Kreindler identifies no controlling authority or material fact that the Court overlooked in its decision at ECF No. 7369. Courts in this district have long taken a dim view of parties making technical authenticity challenges to their own productions and those decisions are persuasive here. See Com. Data Servers, Inc. v. Int’l Bus. Machines Corp., 262 F. Supp. 2d 50, 59 (S.D.N.Y. 2003); Faulkner v. Arista Recs. LLC, 797 F. Supp. 2d 299, 307 (S.D.N.Y. 2011); Roc Nation LLC v. HCC Int’l Ins. Co., PLC, 523 F. Supp. 3d 539, 553, n.5 (S.D.N.Y. 2021).

Kreindler & Kreindler’s new attempt to raise a hearsay objection to KSAX-101 is also without merit. Motions for reconsideration are not the appropriate place to raise arguments that could be raised in the original briefing. The argument is also unfounded as KSAX-101 is not

hearsay because, as offered by the Kingdom, it is a party opponent statement. Fed. R. Evid.
801(d)(2).

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: New York, New York
November 22, 2021